

COMBINED AMENDMENT & PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) (Large Entity)					Docket No. 19491																																					
In Re Application Of: Jobst Krauskopf, et al.																																										
Application No. 10/564,075	Filing Date February 20, 2007	Examiner Ruth A. Davis	Customer No. 23389	Group Art Unit 1651	Confirmation No. 5999																																					
Invention: USE OF WHEY PERMEATE FOR THE TREATMENT OF METABOLIC SYNDROME																																										
<p align="center"><u>COMMISSIONER FOR PATENTS:</u></p> <p>This is a combined amendment and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of <u>September 11, 2009</u> in the above-identified application.</p> <p align="center"><i>Date</i></p> <p>The requested extension is as follows (check time period desired):</p> <p> <input checked="" type="checkbox"/> One month <input type="checkbox"/> Two months <input type="checkbox"/> Three months <input type="checkbox"/> Four months <input type="checkbox"/> Five months </p> <p> from: <u>December 11, 2009</u> until: <u>January 11, 2010</u> </p> <p align="center"><i>Date</i> <i>Date</i></p>																																										
The fee for the amendment and extension of time has been calculated as shown below:																																										
<p align="center">CLAIMS AS AMENDED</p> <table border="1"> <thead> <tr> <th></th> <th>CLAIMS REMAINING AFTER AMENDMENT</th> <th>HIGHEST # PREV. PAID FOR</th> <th>NUMBER EXTRA CLAIMS PRESENT</th> <th>RATE</th> <th>ADDITIONAL FEE</th> </tr> </thead> <tbody> <tr> <td>TOTAL CLAIMS</td> <td align="center">14 -</td> <td align="center">20 =</td> <td align="center">0</td> <td align="center">x \$52.00</td> <td align="center">\$0.00</td> </tr> <tr> <td>INDEP. CLAIMS</td> <td align="center">1 -</td> <td align="center">3 =</td> <td align="center">0</td> <td align="center">x \$220.00</td> <td align="center">\$0.00</td> </tr> <tr> <td align="right" colspan="5">FEE FOR AMENDMENT</td> <td align="center">\$0.00</td> </tr> <tr> <td align="right" colspan="5">FEE FOR EXTENSION OF TIME</td> <td align="center">\$130.00</td> </tr> <tr> <td align="right" colspan="5">TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME</td> <td align="center">\$130.00</td> </tr> </tbody> </table>								CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	TOTAL CLAIMS	14 -	20 =	0	x \$52.00	\$0.00	INDEP. CLAIMS	1 -	3 =	0	x \$220.00	\$0.00	FEE FOR AMENDMENT					\$0.00	FEE FOR EXTENSION OF TIME					\$130.00	TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME					\$130.00
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19491

In Re Application Of: **Jobst Krauskopf, et al.**

Confirmation No.

5999

Invention:

USE OF WHEY PERMEATE FOR THE TREATMENT OF METABOLIC SYNDROME

COMMISSIONER FOR PATENTS:

This is a combined amendment and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of September 11, 2009 in the above-identified application.

The requested extension is as follows (check time period desired):

☒ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: **December 11, 2009** until: **January 11, 2010**
Date Date

The fee for the amendment and extension of time has been calculated as shown below:

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	14 -	20 =	0	x \$52.00	\$0.00
INDEP. CLAIMS	1 -	3 =	0	x \$220.00	\$0.00
FEE FOR AMENDMENT					\$0.00
FEE FOR EXTENSION OF TIME					\$130.00
TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME					\$130.00

**COMBINED AMENDMENT & PETITION FOR EXTENSION OF
TIME UNDER 37 CFR 1.136(a) (Large Entity)**

Docket No.
19491

The fee for the amendment and extension of time is to be paid as follows:

- ☐ A check in the amount of _____ for the amendment and extension of time is enclosed.
- ☒ Please charge Deposit Account No. **19-1013/SSMP** in the amount of **\$130.00**
- ☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **19-1013/SSMP**
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **19-1013/SSMP**.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

Frank S. DiGiglio
Registration No. 31,346
Scully, Scott, Murphy & Presser, P.C.
400 Garden City Plaza-Suite 300
Garden City, New York 11530
(516) 742-4343

Dated: January 11, 2010

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on	
_____ (Date)	
_____ Signature of Person Mailing Correspondence	
_____ Typed or Printed Name of Person Mailing Correspondence	

FSD:dk

CC: